

COURTESY COPY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MORGAN STANLEY MORTGAGE
CAPITAL HOLDINGS LLC, AS
SUCCESSOR-IN-INTEREST TO MORGAN
STANLEY MORTGAGE CAPITAL INC.,

Plaintiff,

v.

FREMONT INVESTMENT & LOAN,

Defendant.

07-CV-9457 (RJH) (AJP)

ECF CASE

NOTICE OF
VOLUNTARY DISMISSAL
~~WITHOUT PREJUDICE~~

USDC SDNY
DOCUMENT
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DATE FILED: 4/28/08

Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiff Morgan Stanley Mortgage Capital Holdings LLC ("Plaintiff"), as successor-in-interest to Morgan Stanley Mortgage Capital Inc. ("MSMCI"), hereby dismisses the above-captioned action and all claims asserted therein against the defendant, Fremont Investment & Loan, without prejudice, with each party to bear its own costs, expenses, and attorneys' fees.

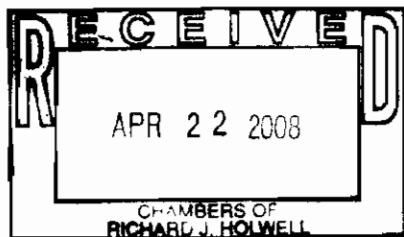
Dated: New York, New York
April 21, 2008

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SU ORDERED

By 116
JST 4/25/08

The Clerk is requested to close this case.